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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 CYRUS ORLANDO ORTEGA,

12 Defendant.

2:20-CR-137-JAD-VCF

Preliminary Order of Forfeiture

13 This Court finds Cyrus Orlando Ortega pled guilty to Count One of a Two-Count
14 Criminal Indictment charging him with distribution of child pornography in violation of 18
15 U.S.C. § 2252A(a)(2). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea
16 Agreement, ECF No. __.

17 This Court finds Cyrus Orlando Ortega agreed to the forfeiture of the property set
18 forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment.
19 Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No.
20 __.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United
22 States of America has shown the requisite nexus between property set forth in the Plea
23 Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to
24 which Cyrus Orlando Ortega pled guilty.

25 The following property is (1) any visual depiction described in 18 U.S.C. § 2252A, or
26 any book, magazine, periodical, film, videotape, or other matter which contains any such
27 visual depiction, which was produced, transported, mailed, shipped or received in violation
28 of 18 U.S.C. § 2252A(a)(2), or (2) any property, real or personal, used or intended to be used

1 to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2), or any property
2 traceable to such property and is subject to forfeiture pursuant to 18 U.S.C. § 2253(a)(1) and
3 2253(a)(3):

- 4 1. Raidmax desktop computer, Model No. RX500XDirkTooth, Serial No.
5 141130416033, with Seagate 360GB SATA hard drive, Model No.
6 ST3360320AS, Serial No. 5QF6M6QN;
- 7 2. Lenovo laptop computer, Model No. G505s, Serial No. CB26549163, with
8 Seagate 500GB SATA hard drive, Model No. ST500LT012, Serial No.
9 S0VAJ3TX; and
- 10 3. Apple iPhone 7, Model No. A1778, Serial No. FYNXD078HX98, IMEI
11 No. 353072096976123

12 (all of which constitutes property).

13 This Court finds that on the government's motion, the Court may at any time enter
14 an order of forfeiture or amend an existing order of forfeiture to include subsequently
15 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
16 32.2(b)(2)(C).

17 This Court finds the United States of America is now entitled to, and should, reduce
18 the aforementioned property to the possession of the United States of America.

19 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
20 DECREED that the United States of America should seize the aforementioned property.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
22 rights, ownership rights, and all rights, titles, and interests of Cyrus Orlando Ortega in the
23 aforementioned property are forfeited and are vested in the United States of America and
24 shall be safely held by the United States of America until further order of the Court.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
26 of America shall publish for at least thirty (30) consecutive days on the official internet
27 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
28 describe the forfeited property, state the time under the applicable statute when a petition

1 contesting the forfeiture must be filed, and state the name and contact information for the
2 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
3 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
4 the government may instead serve every person reasonably identified as a potential claimant
5 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
6 Rule G(4)(a)(i)(A).

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
8 or entity who claims an interest in the aforementioned property must file a petition for a
9 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
10 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
11 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
12 right, title, or interest in the forfeited property and any additional facts supporting the
13 petitioner's petition and the relief sought.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
15 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
16 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
17 not sent, no later than sixty (60) days after the first day of the publication on the official
18 internet government forfeiture site, www.forfeiture.gov.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
20 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
21 Attorney's Office at the following address at the time of filing:


22 Daniel D. Hollingsworth
23 Assistant United States Attorney
24 James A. Blum
25 Assistant United States Attorney
26 501 Las Vegas Boulevard South, Suite 1100
27 Las Vegas, Nevada 89101.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
27 described herein need not be published in the event a Declaration of Forfeiture is issued by
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1 the appropriate agency following publication of notice of seizure and intent to
2 administratively forfeit the above-described property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
4 copies of this Order to all counsel of record.

5 DATED: June 29, 2021.

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9 JENNIFER A. DORSEY
10 UNITED STATES DISTRICT JUDGE
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